

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554**

In the Matter of)	AU Docket No. 20-34
)	
LTD BROADBAND, LLC)	WC Docket No. 10-90
)	
Petition of for Waiver of Section 54.804(b)(5))	WC Docket No. 19-126
of the Commission's Rules)	

To: Chief, Wireline Competition Bureau

SECOND SUPPLEMENT TO PETITION FOR LIMITED WAIVER

LTD Broadband, LLC ("LTD Broadband") hereby supplements its Petition for Limited Waiver filed June 7, 2021, as previously supplemented on June 16, 2021, to provide the attached declaration.

Respectfully submitted,

LTD BROADBAND, LLC

June 23, 2021

By: /s/ Stephen E. Coran
Stephen E. Coran
Lerman Senter PLLC
2001 L Street, NW, Suite 400
Washington, DC 20036
(202) 416-6744
scoran@lermansenter.com

Counsel for LTD Broadband, LLC

DECLARATION OF KRISTOPHER E. TWOMEY

My name is Kristopher Twomey. I am an attorney at the Law Offices of Kristopher Twomey. I am a member of the District of Columbia and Massachusetts bars. I am making this declaration with respect to a Second Supplement to a Petition for Waiver ("Waiver Request") filed by LTD Broadband, LLC ("LTD Broadband") on June 7, 2021 and supplemented on June 16, 2021. I hereby certify under penalty of perjury that the statements in this declaration are true and correct.

1. LTD Broadband engaged me to assist it in filing and prosecuting applications and petitions for eligible telecommunications carrier ("ETC") designation in the 15 states where LTD Broadband was the Rural Digital Opportunity Fund auction winner.
2. On January 6, 2021, I sent a letter to the Communications Division of the California Public Utilities Commission ("CPUC") requesting clarification on the process LTD Broadband should use to obtain ETC designation. In response to my request, in late January I received a phone call from Peter Pratt, a member of the CPUC staff, to discuss LTD's RDOF award. He connected me with Kim Hua who informed me that LTD Broadband should file a joint application for ETC designation and for a Certificate of Public Convenience and Necessity ("CPCN").
3. I prepared LTD Broadband's ETC/CPCN application. On April 26, 2021, I sent an original and four copies of the application to the CPUC by US mail. At the time, I did not know that the CPUC was not accepting applications sent via US mail. Over the course of the next several weeks, I became concerned that the application had not been docketed by the CPUC. Therefore, on June 3, 2021, I filed the ETC/CPCN application with the CPUC electronically through its portal. The application has not yet been assigned a docket number.
4. On June 4, 2021, in an article discussing RDOF, Communications Daily reported that the CPUC "hasn't received applications from LTD Broadband or Commnet Wireless." On that day, I received an email from Stephen Coran, an attorney with Lerman Senter PLLC, who represents LTD Broadband before the Federal Communications Commission ("FCC"). Mr. Coran's email included the quote from the Communications Daily article. Mr. Coran was drafting the Waiver Request and asked me to clarify the ETC/CPCN application filing status. On June 4, 2021, I sent Mr. Coran an email which stated that the CPUC "spokesperson is misinformed," and I provided Mr. Coran with a date-stamped receipt from the CPUC purporting to indicate that the application was submitted on April 26, 2021. Corey Hauer, LTD Broadband's CEO, was copied on this email.
5. On June 7, 2021, LTD Broadband filed the Waiver Request seeking an extension of time to obtain ETC designation in a number of states, including California. The Waiver

Request was drafted and signed by myself and Mr. Coran. Lerman Senter has assisted LTD Broadband in obtaining ETC designation in certain states, but was not involved in the process of obtaining ETC designation in California. I helped draft, review and revise the Waiver Request before it was filed with the FCC.

6. The Waiver Request includes some inaccurate statements that I wish to correct. First, LTD Broadband did not file for ETC designation in California on April 26, 2021 as stated in the Waiver Request. Rather, that was the date that I placed the original and four copies of the joint ETC/CPCN application in the US mail. Second, the docket number referenced on page 3 of the Waiver Request is incorrect. I created the docket number and provided it to Mr. Coran to include in the Waiver Request. Neither Mr. Coran nor Corey Hauer, LTD Broadband's CEO, had any basis to know that these statements were inaccurate. I had opportunities to provide them with accurate information about the ETC/CPCN filing status and I did not do so.
7. In addition, the receipt purporting to show a date-stamp of April 26, 2021 on the ETC/CPCN application was inaccurate. I created the date-stamp by modifying another receipt I had received from CPUC for the June 3 filing. The modified receipt was not included in the Waiver Request.
8. I understand that on June 8, 2021, Helen Mickiewicz, Assistant General Counsel with the CPUC, emailed Mr. Coran regarding the representations in the Waiver Request related to the California ETC application, including specifically, the date LTD Broadband's ETC/CPCN's application was filed. I further understand that Mr. Coran emailed Ms. Mickiewicz a copy of the modified application receipt that I had created and provided to Mr. Coran because he believed that the receipt accurately reflected the filing status of the ETC/CPCN application.
9. Mr. Coran sent me an email on June 9, 2021 following his call with Ms. Mickiewicz. Mr. Coran stated in that email that Ms. Mickiewicz "called because the CPUC had no record of LTD's filing. Michael Janson at the FCC called the CPUC because they were concerned about the statement in the waiver request saying that we had filed. I sent Helen the confirmation. She apologized and said she'd follow up with Janson." That same day, I sent an email to Ms. Mickiewicz and provided her with a copy of my January 6, 2021 letter and the names of the CPUC staff with whom I had been speaking.
10. By email dated June 17, 2021, Ms. Mickiewicz asked if she and Peter Pratt could speak with me by phone. We spoke on June 21, 2021. On that call, I admitted that I had misrepresented the ETC/CPCN application filing date, falsely created the docket number and created the application receipt.
11. On the evening of June 21, 2021, I sent an email to Mr. Hauer and Mr. Coran describing these events, and the three of us subsequently spoke by telephone. This was the first time that either Mr. Hauer or Mr. Coran knew that the I had misrepresented the

application filing date, made up the docket number and created the application receipt. Although I had several opportunities to explain the circumstances on several occasions while the Waiver Request was being drafted and after it was filed, I did not do so prior to our June 21, 2021 telephone call. Mr. Coran had no reason to know that the information I provided him concerning the status of the ETC/CPCN application was inaccurate. I provided him with the modified receipt, at his request, as evidence of the filing date.

12. My actions placed Mr. Coran in a position where he unknowingly co-signed a pleading that he believed to be truthful but which contained inaccuracies of which I was aware. Mr. Coran also had no reason to know that the modified receipt he sent to Ms. Mickiewicz via email was not accurate.
13. I also failed to inform LTD Broadband about these inaccuracies at any time prior to our June 21, 2021 telephone call. No one at LTD Broadband knew prior to that time that the representations were inaccurate.
14. I sincerely regret my actions. I recognize that I have disserved both LTD Broadband and Mr. Coran (and his law firm), both of whom had every right to rely on my representations.



Kristopher E. Twomey

June 22, 2021

Date